

# Notice of Allowability

Application No.

10/099,610

Examiner

Eric Hug

Applicant(s)

DE JONG ET AL.

Art Unit

1731

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Appeal Brief filed on July 7, 2005.
2. ☒ The allowed claim(s) is/are 20-29 and 38-41.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **DETAILED ACTION**

The following is in response to the Appeal Brief filed on July 7, 2005.

#### ***Allowable Subject Matter***

Claims 20-29 and 38-41 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art does not disclose or suggest a method of processing papermaking fibers in a multistage array of centrifugal cleaners that includes at least the steps of supplying a first rejects stream from a first cleaner stage to a flotation stage, feeding a purified stream from the flotation stage forward to a second cleaner stage, and combining accepts streams from the first and second stages.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Drawings***

The drawings filed March 15, 2003 are accepted by the Examiner.

***Response to Arguments***

Applicant's arguments filed with the Appeal Brief on July 7, 2005 have been fully considered. The Declaration filed under 37 CFR 1.132 on September 21, 2004 has also been considered.

The rejection of claims 20 and 22-29 under 35 U.S.C. 103(a) as being unpatentable over Vikio et al (US 5,882,475) has been withdrawn, and the rejection of claim 21 under 35 U.S.C. 103(a) as being unpatentable over Vikio as applied to claim 20, and further in view of Maxham (US 4,983,258) or Markham et al (US 5,234,543) has been withdrawn.

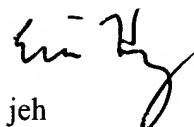
Upon reconsideration of Vikio, it is recognized that arrow 32 in Figure 1 represents an upstream direction, not a downstream direction as incorrectly indicated in the Final office action dated December 28, 2004. Pulp slurry corresponding to the rejects obtained at outlet 20 of cleaner system 10 (see Figure 1 of Vikio) and subsequently cleaned by system 50 (Figure 2 of Vikio) is returned to the cleaner system 10 either at line 31 or at line 49. Line 31 is at an upstream vortex cleaning stage relative to the outlet 20 (column 4, line 64 to column 5, line 3). It is also recognized that cleaned slurry at line 31 does not come from a flotation stage, but comes from mechanical treatment of the slurry (see Figure 2). Thus, with regards to arrow 32 and line 31, Vikio does not disclose or suggest using a flotation stage for the rejects from the first stage and forwardly feeding the accepts from the flotation stage to a downstream vortex cleaning stage. It is also further recognized that line 49 comes from a flotation stage 54 in system 50, but that portion 49 represents the flotation stage rejects, and is fed upstream rather than downstream. For these reasons, the rejections are withdrawn.


Art Unit: 1731

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Hug whose telephone number is 571 272-1192. The examiner can normally be reached on Monday through Friday, 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571 272-1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
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